

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

VERBIE ROGERS

PLAINTIFF

VERSUS

CAUSE NO: 1:22cv76-SA-DAS

**DOLLAR GENERAL CORPORATION
AND JOHN DOES 1-100**

DEFENDANT

NOTICE OF REMOVAL

The defendant, Dollar General Corporation, erroneously named in the style of the Complaint in the state court action as Dollar General, Inc., removes this action to this court pursuant to 28 U.S.C. §1441(a) *et seq.*, and in support, shows the following:

- (1) This action was commenced and is now pending in the Circuit Court of Choctaw County, Mississippi, by the Complaint filed on April 11, 2022, bearing cause number 2022-017-CVM on the docket of that court. This notice is filed within the time required by applicable law.
- (2) At the time of the commencement of this action, and at the present, the plaintiff was, and is, an adult resident citizen of the State of Mississippi.
- (3) The defendant, Dollar General Corporation (“Dollar General”), was and is a Tennessee corporation with its principal place of business in Goodlettsville, Tennessee.
- (4) There is complete diversity of citizenship between and among the plaintiff and the defendant, Dollar General.
- (5) In the state court Complaint, the plaintiff prays for “a judgment of, from and against the defendants in an amount of \$250,000.00” Thus, the plaintiff asserts claims, and seeks a money judgment against Defendant in excess of \$75,000.00, exclusive of interest and costs.

(6) The suit of the plaintiff is a civil suit and one where the United States District Court for the Northern District of Mississippi, Aberdeen Division, had at the time of the filing of the Complaint, and now has, original jurisdiction pursuant to 28 U.S.C. §1332, since there is complete diversity of citizenship between the plaintiff and the defendant, Dollar General.

(7) The Defendant has given the plaintiff written notice of the removal of this action and has served a copy of this petition on the clerk of the Circuit Court of Choctaw County, Mississippi, as required by law.

(8) A copy of all process, pleadings and other papers served on Defendant is attached as Exhibit 1, which the Defendant believes is the entire state court record, but the defendant shall, nonetheless, obtain a certificate from the state court clerk certifying the state court record and file within the time allowed by U.S. District Court Local Rule 5(b).

WHEREFORE, Defendant prays for removal of the above entitled cause from the Circuit Court of Choctaw County, Mississippi, to this court and that the Circuit Court of Choctaw County, Mississippi, proceed no further in this cause unless this action be remanded by this court.

THIS the 26th day of May 2022.

Respectfully submitted,

DOLLAR GENERAL CORPORATION

/s/ Christopher J. Latimer, MSB 101549
Its Attorney

Of Counsel:

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CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2022, I electronically filed the foregoing with the Clerk of the Court using the ECF system and forwarded such filing via United States Postal Service or ECF notification to the following:

Rebecca Keith, Esq.
Schwartz & Associates, P.A.
162 East Amite Street
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SO CERTIFIED, this the 26th day of May, 2022.

s/Christopher J. Latimer